

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MACIEJ MURAKOWSKI,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C. A. No. 07-475-MPT
	:	
UNIVERSITY OF DELAWARE,	:	
	:	
Defendant.	:	

**JUDGMENT ORDER**

At Wilmington, this 4<sup>th</sup> day of **September, 2008**

IT IS ORDERED, ADJUDGED and DECREED that:

1. Plaintiff's motion for summary judgment (D.I. 28) is DENIED in part and GRANTED in part:
  - a. Plaintiff's motion on his claim under 42 U.S.C. § 1983 for violation of his constitutional rights under the Fourteenth Amendment is DENIED.
  - b. Plaintiff's motion on his claim under 42 U.S.C. § 1983 for violation of his constitutional rights under the First Amendment is GRANTED.
  - c. Plaintiff's motion on the appropriateness of the sanction is DENIED.
  - d. Plaintiff's demand for attorney's fees is DENIED. His demand for reasonable costs is GRANTED. Within ten (10) business days of the entry of this Order, plaintiff shall file with the court, under seal, a statement of plaintiff's expenses. The statement, and supporting argument, if any, shall be limited to seven (7) pages, double spaced. Defendant shall within ten (10) business days thereafter file

any objection to said statement. The objection shall be limited to seven (7) pages, doubled spaced. Within five (5) business days, plaintiff shall file a response to any such objections. The response shall be limited to five (5) pages, double spaced.

2. Defendant's motion for summary judgment (30) is GRANTED in part and DENIED in part consistent with the judgment above on plaintiff's motion for summary judgment:

a. Defendant's motion that plaintiff was afforded due process under the Fourteenth Amendment is GRANTED.

b. Defendant's motion that there was no violation of plaintiff's First Amendment rights is DENIED.

c. Defendant's motion as to the appropriateness of the sanction is GRANTED.

d. Defendant's motion for denial of damages and attorney's fees is GRANTED. Defendant's motion for denial of costs is DENIED.

3. Judgment is entered in favor of plaintiff against defendant on the First Amendment violation for nominal damages in the amount of ten (\$10.00).

/s/ Mary Pat Thyng  
UNITED STATES MAGISTRATE JUDGE